

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 11/5/2012

BOARD MEMBERS PRESENT: Gayla Nickel - Chair
Paul J Weston
Brooke E Barnes
Linda A Chatburn

BOARD MEMBERS ABSENT: Ione C Springer

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Maurie Ellsworth, Legal Counsel
Roger Hales, Administrative Attorney
Cherie Simpson, Management Assistant
Helle Newton, Technical Records Specialist I

OTHERS PRESENT: Suzie Lindberg, President, AMTA-Idaho
Judy Silcock, Govt. Relations Chair, AMTA-Idaho
Gail King, College of Massage Therapy, Bingham Memorial Hospital
Tony Smith, NW Career Colleges Federation
Rich Priest, Onsen International
Suzanne Budge, SBS Associates, LLC; AMTA
Ray Fuller and Prasert Klingkla

The meeting was called to order at 9:02 AM MST by Gayla Nickel.

APPROVAL OF MINUTES

Ms. Barnes made a motion to approve amendments to the minutes of the 9/10/2012 meeting, and approve the minutes of 8/15/2012, 8/20/2012, 8/22/2012, and 10/16/2012. It was seconded by Mr. Weston. Motion carried.

Ms. Chatburn arrived at 9:10 a.m. MST.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of (-\$22,348.34) as of 10/31/2012.

OLD BUSINESS

The Board was addressed by Rich Priest, Assistant Director, Onsen International. He requested clarification of whether he may continue to provide instruction in Onsen technique as continuing education. Mr. Hales advised that continuing education needs to be relevant to the practice of massage therapy. The Board cautioned that it cannot give legal advice, but determined that if one practices an exemption per Idaho Code §54-4003, they are not regulated by Idaho statute. If anyone practices massage therapy in addition to an exempted modality, they would need to be licensed as a massage therapist.

The Board and legal counsel reviewed various comments to the Proposed Rules. After discussion, Ms. Barnes moved to keep Rule 600.02 Clinical Work the same and refer to the definition in Rule 010.04 Clinical Work. Ms. Chatburn seconded. The vote was: Ms. Barnes, aye; Ms. Chatburn, aye; Mr. Weston, aye; and Ms. Nickel, nay. Motion carried.

Mr. Weston moved to amend Rule 300.03 to add the words "Each applicant shall also..." Ms. Barnes seconded, motion carried.

Ms. Barnes moved to amend Rule 300.04 to read "Until July 1, 2014, the Board may waive the requirements of 300.02 and 300.03 of these rules..." and delete the words "this section". Mr. Weston seconded, motion carried.

Ms. Barnes moved to not make changes to Rule 300.04.a, b, and c since verification of hours is part of the application form. Mr. Weston seconded, motion carried.

Mr. Hales advised that the language used in the Rules is how the language is stated in the Law. The Board clarified that the phrase 'Active membership in good standing' indicates a currently active member. Mr. Weston moved to maintain the language of Rule 300.04.d as is. Ms. Barnes seconded, motion carried.

Ms. Barnes moved to keep the language in Rule 306.02 as is. Mr. Weston seconded, motion carried.

Ms. Chatburn moved to keep the language in Rule 501.03 as is. Mr. Weston seconded, motion carried.

Ms. Barnes moved to keep Rule 502.03 as is. Mr. Weston seconded, motion carried.

Ms. Barnes moved to keep Rule 600.02.a as is. Mr. Weston seconded, motion carried.

Ms. Barnes moved to amend Appendix B, Standard VI to increase the time period from six (6) months to twelve (12) months. Mr. Weston seconded, motion carried.

Ms. Barnes moved to leave Rule 010.01 as is. Ms. Chatburn seconded, motion carried.

The Board reviewed comments and an email regarding licensure through reciprocity. Ms. Barnes moved that the Bureau respond by referring to Rule 310, Licensure by Endorsement, and Rule 300.04, Licensure by Grandfathering. Mr. Weston seconded, motion carried.

The Board reviewed comments and email to reduce the time period between a professional and personal relationship. Ms. Barnes moved to deny the request based on previous Board discussion and the previous motion to increase the time to 12 months, which is consistent with other licensing boards in the State of Idaho. Mr. Weston seconded, motion carried.

FREQUENTLY ASKED QUESTIONS (FAQS) PAGE

The Board reviewed the final FAQs page. Ms. Chatburn moved to accept the FAQs page and post it to the website. Ms. Barnes seconded, motion carried.

APPLICATION FORMS

The Board reviewed the application forms. Ms. Barnes moved to accept applications in the current form, subject to modification based on approval of the proposed Rules in the 2013 state legislative session. Ms. Chatburn seconded, motion carried.

LETTERS TO CITIES AND MASSAGE THERAPISTS

The draft letters to cities and to massage therapists were reviewed. The letter to the cities was already sent out and to date, two responses have been received. Mr. Weston moved to accept the letter to therapists with the recommended changes. Ms. Barnes seconded, motion carried. The Board also discussed different ways of distributing the letter. Suggestions included sending the letter to massage associations and organizations for distribution and to schools for notifying graduates.

NEW BUSINESS

Ms. Nickel discussed expenses incurred while attending the Federation of State Massage Therapy Boards' (FSMTB) annual meeting. Discussion was held on covered expenses. Ms. Cory explained there is a Board of Examiners which

establishes state travel policy. When attending a meeting or conference, reasonable expenses are covered if state policy is followed. If costs out of the ordinary are incurred, they would be reviewed and subject to approval based on conforming to state travel policy. Ms. Barnes moved to approve the expenses as submitted subject to review according to the Board of Examiners' travel policy. Mr. Weston seconded, motion carried.

The Board reviewed correspondence from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB) advising it is implementing a new program which in the future will qualify both Continuing Education providers and courses.

The Board reviewed a request from Jean Robinson of the Associated Bodywork & Massage Professionals (ABMP) requesting a copy of the application form. Mr. Weston moved to direct the Bureau to respond, advising the Board has approved the application form, subject to any changes based on approval of Rules in the 2013 Legislative session. Ms. Barnes seconded, motion carried.

The Board reviewed correspondence from Susan Beck regarding the delay in receiving transcripts and diplomas after education is completed. The Board discussed a certificate of professional education used by other professions that could be submitted by the institution in lieu of transcripts, verifying that the applicant has completed graduation requirements. Ms. Barnes moved to accept the certificate of professional education with changes for massage therapy, and direct the Bureau to respond to Ms. Beck advising the Board will accept this form in lieu of transcripts, verifying that the applicant has completed graduation requirements. This is to be followed by submission of the actual transcript when available. Mr. Weston seconded, motion carried.

The Board reviewed correspondence from Wayne and Elma Chambers regarding licensing nutritional therapists or reflexologists. Ms. Barnes moved to direct the Bureau to respond advising that the Board does not regulate nutritional therapists or reflexologists, only massage therapists. Mr. Weston seconded, motion carried.

The Board discussed correspondence from Regence BlueShield of Idaho asking about status of licensing and licensees. The Bureau has contacted her referring her to the website and the process of state licensure.

The Board reviewed correspondence inquiring if the required CPR class for Continuing Education is the health care worker's class or the heart saver program. Ms. Barnes moved to direct the Bureau to respond, referring to Rules 500, 502, and 503, and advising that both CPR classes are acceptable, including online. Mr. Weston seconded, motion carried.

The Board was addressed by Ray Fuller regarding his correspondence concerning international education and certification. The Board advised transcripts would need to be translated into U.S. credits defining the hours. The applicant could take any of the approved examinations listed in Rule 305 and apply through grandfathering, or become licensed in another state and apply for licensure through endorsement.

Mr. Ellsworth briefly explained due process to the Board.

Ms. Nickel gave a report on the Federation of State Massage Therapy Boards' annual meeting.

Ms. Chatburn moved to have at least one Board member's expenses covered to be present at the 2013 legislative session if necessary. Ms. Barnes seconded, motion carried.

NEXT MEETING

The next meeting date is to be determined.

ADJOURNMENT

Ms. Barnes made a motion to adjourn the meeting at 1:50 p.m. MST. It was seconded by Ms. Chatburn. Motion carried.

Gayla Nickel, Chair

Ione C Springer

Paul J Weston

Brooke E Barnes

Linda A Chatburn

Tana Cory, Bureau Chief